

## Why are there limitations on brushing and clearing my own land?

San Diego County is known nationwide for the tremendous diversity of its plants and animals, and for the number of species that would be considered rare or endangered.

Limitations have been placed to eliminate clearing that destroys sensitive habitat and other biological resources. Limitations have also been placed to prevent interference with archaeological resources and areas of high aesthetic concerns prior to the issuance of land development permits. Stormwater runoff and pollutants entering stormwater conveyance systems are also concerns with excess clearing. Essentially, limitations have been placed on property owners to help preserve the valuable resources of San Diego County.

A program to preserve valuable biological resources in the County is the Multiple Species Conservation Program (MSCP). It is a comprehensive habitat conservation planning program which addresses multiple species habitat needs and the preservation of native vegetation for an approximate 252,132 acres of unincorporated land in southwestern San Diego County, California, adopted by the Board of Supervisors on October 22, 1997.

*Please note that clearing of vegetation in preparation for land development cannot occur until relevant land development permits have been issued.*

*Although County permits may not be required for certain situations, this does not preclude the applicability of other Federal/State/Local laws (e.g. clearing into wetlands and clearing on lands with known sensitive species).*

## My property has never been used for agricultural purposes, but I would like to clear the land for growing agricultural plants. Do I need to come in for a permit?

YES. If the property has not been in agricultural production for at least one of the preceding five years, a County Clearing Permit is required.

A County Clearing Permit requires a \$50 fee. The application forms required for this permit can be found on our webpage or may be picked up at the Zoning Counter as “Administrative Permits for Grading and Clearing.”

Once submitted, the County will review the project within 3 days to determine if there are any potentially significant impacts to the environment. If potential impacts are identified, the County will request that additional information and an initial deposit of \$2000 be submitted to continue the review process. Depending on the scope of impacts and the adequacy of requested information/studies, a full environmental review, from submittal to hearing date, may be completed within 5 to 18 months. The cost may run between \$2000 to several thousand dollars and may involve mitigation conditions. Please keep in mind that this cost estimate is for County review/processing only and does not include the cost of hiring private consultants.

**For more information about Brushing and Clearing in the unincorporated communities of San Diego County,**

**visit our Main Office:**  
5201 Ruffin Road, Suite B  
San Diego, CA, 92123  
Monday - Friday  
8:00 a.m. - 4:00 p.m.

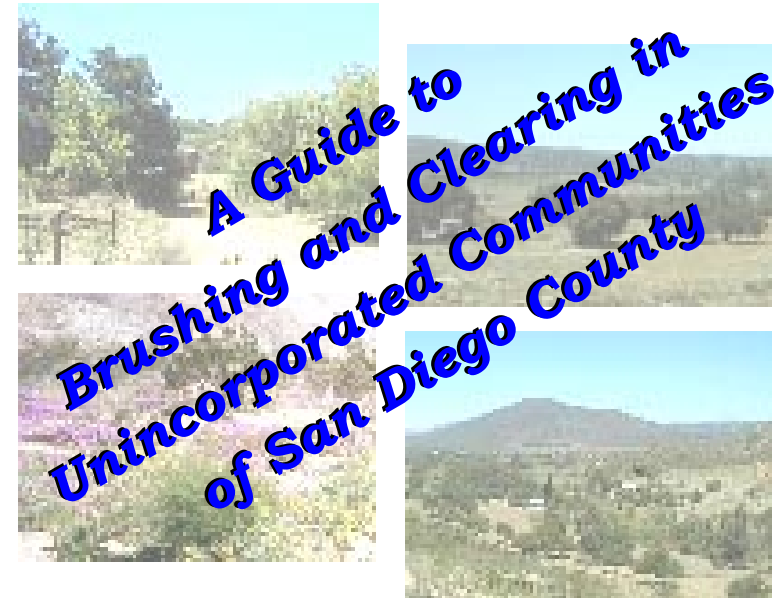
**For general information, please call the  
Zoning Counter at  
(858) 565-5981**

**Or access the Resource Planning Website;  
[www.sdcdplu.org](http://www.sdcdplu.org) and click on Resource Planning Division.**



**County of San Diego  
Land Use & Environmental Group**

## Department of Planning and Land Use



**The County of San Diego has limitations on  
Brushing and Clearing completed on any  
given parcel located within the  
unincorporated communities of San Diego.**

**This brochure is intended to provide some  
guidance as to when permits are required  
prior to the brushing and  
clearing of property.**

**What is Clearing?**

Clearing refers to the removal of natural vegetation by any means, including brushing and grubbing.

**Is it okay to clear for fire protection?**

Clearing for fire protection purposes can be done within 100-feet of an existing dwelling unit without a County permit. Any additional clearing for fire prevention, control or suppression purposes can be done when authorized or required in writing by a fire prevention or suppression agency.

**Can I clear the dead shrubs around my yard?**

Routine landscaping, maintenance, and the removal of dead or diseased trees or shrubs is allowed without a County permit.

**I’ve been issued my building permit to construct a single-family residence and no grading permit is required. Do I need another permit to clear?**

Clearing, and minor grading which does not require a grading permit, either of which are incidental to the repair, alteration or construction of a single-family dwelling and accessory buildings and structures pursuant to an approved building permit do not require an additional County Clearing Permit.

**I would like to build a single-family residence and need to clear in order to determine where the home is to be placed. Do I need a permit to clear?**

**If your parcel is located outside of MSCP\*:**

Unless you are diligently pursuing construction under a valid building permit for a single family residence, or you are completing limited clearing necessary for the purpose of surveying, geotechnical exploration, or access for percolation tests and wells, you may not clear without a County Clearing Permit.

**If your parcel is located within MSCP:**

Parcels ten acres and under in size zoned for single family residential uses are allowed to clear without a County Clearing Permit in the following circumstances.

*\*Please contact the Zoning Counter at (858) 565-5981 or visit our webpage at [www.scdplu.org](http://www.scdplu.org) to determine if your parcel is located within the MSCP boundaries.*

To qualify, a finding must be made that the clearing will not interfere with the assembly of the MSCP Preserve according to the terms of the MSCP Plan and the Subarea Plan.

Projects which qualify must provide the following information to the Department of Planning and Land Use:

- (1) The location of the parcel to be cleared.
- (2) The zoning of the parcel to be cleared.
- (3) The size of the parcel to be cleared.
- (4) The number and location of the number of acres to be cleared.

The total number of acres cleared per parcel may not exceed the amounts set below.

- a. Parcels located *within* a Pre-Approved Mitigation Area that are ten acres and under in size and zoned for single family residential uses may clear a total of *two acres* without a County Clearing Permit. Clearing required pursuant to applicable fire safety regulations will not be counted in computing the number of acres cleared.
- b. Parcels located *outside* the Pre-Approved Mitigation Area that are ten acres and under in size and zoned for single family residential uses may clear a total of *five acres* without a County Clearing Permit. Clearing required pursuant to applicable fire safety regulations will not be counted in computing the number of acres cleared.

**I own a parcel with an existing home and would like to do some general clearing. Do I need a permit to clear?**

**If your parcel is located outside of MSCP:**

Clearing of up to a maximum of five acres, on a parcel zoned for a single family residential use and improved with a single-family residence does not require a County Clearing Permit provided that the parcel is located outside of the MSCP. The amount of land to be cleared, cannot exceed a total of five acres, regardless of the number of occasions on which clearing is performed.

**If your parcel is located within MSCP:**

Again, parcels ten acres and under in size zoned for single family residential uses are allowed to clear without a County Clearing Permit in certain circumstances.

Please see the requirements and the limitations listed from the previous question to determine if your parcel qualifies for an exemption to a County Clearing Permit.

**My property has been in active agriculture, can I clear the land for new crops?**

**If your parcel is located outside of MSCP:**

Tilling or cultivating land exclusively for purposes of growing agricultural plants or animals, provided that the tilling or cultivating will not block or divert any natural drainage way and the land to be tilled or cultivated has been in agricultural production for at least one of the preceding five years does not require a County Clearing Permit.

However, this does not allow the establishment of new agricultural operations on, or the expansion of existing agricultural operations into, any area which has not been in agricultural production for at least one of the preceding five years.

**If your parcel is located within MSCP:**

Agriculturally related clearing within the MSCP boundary does not require a County Clearing Permit, provided that such clearing meets certain requirements.

An applicant for an agricultural clearing project meeting these requirements shall provide evidence in writing of the facts that support a - c below. In addition, the number of acres and location of the land for which the exemption is sought shall be provided. As part of the application the applicant shall sign an agreement to maintain the land in agriculture for the applicable holding period set forth below.

The agricultural clearing project must meet all the following requirements:

- a. The land is not located within a Preapproved Mitigation Area.
- b. The applicant has farmed the land during three of the last five years and intends to retain the land in agriculture for the next five years or the applicant intends to establish an agricultural operation on the particular parcel of land within one year and to retain the land in agriculture for at least ten years.
- c. The land is not located within a floodplain.